

PROR 12C
Rev 303

United States District Court

for

Southern District of Ohio

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: **Julie Anne Italiano**

Case Number: **1:02CR00120**

Name of Sentencing Judicial Officer: **The Honorable Susan J. Dlott, United States District Judge**

Date of Original Sentence: **February 4, 2002**

Original Offense: **Conspiracy to Possess with Intent to Distribute Cocaine, in violation of 21 U.S.C. § 846**

Original Sentence: **12 months and one day imprisonment, 36 months of supervised release, and a \$100 special assessment**

Type of Supervision: **Supervised Release**

Date Supervision Commenced: **January 30, 2003**

Assistant U.S. Attorney: **To be assigned**

Defense Attorney: **To be assigned**

PETITIONING THE COURT

- ☐ To issue a warrant
- ☒ To issue an Order to Appear and Show Cause and toll the Supervised Release time
- ☐ To grant an exception to revocation without a hearing.

Violation Number

Nature of Noncompliance

#1

Condition #7: You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.

On August 22, 2005, Italiano submitted a urine sample that tested positive for cocaine.

#2

Standard Condition: You shall not commit another Federal, state, or local crime and shall not illegally possess a controlled substance.

On March 11, 2005, Italiano sold .59 grams of cocaine to an informant who was working with the Butler County Sheriff's Office. An agent with the Butler County Sheriff's Office, who was working in an undercover capacity, observed the drug transaction. Thus, Italiano actually possessed cocaine on March 11, 2005.

Pursuant to 18 U.S.C. § 3583(g)(1), a mandatory revocation is applicable if the defendant possesses a controlled substance.

#3

Standard Condition: You shall not commit another Federal, state, or local crime and shall not illegally possess a controlled substance.

On September 18, 2005, Italiano was arrested and charged with Trafficking in Drugs, Drug Abuse, Permitting Drug Abuse, and Disorderly Conduct by the Butler County Sheriff's Office. According to an agent with the Butler County Sheriff's Office, Italiano was arrested for the aforementioned charges because she sold .59 grams of cocaine to an informant on March 11, 2005. The agent indicated he was working in an undercover capacity on March 11, 2005 and observed the drug transaction. The cocaine that Italiano supplied to the informant was confirmed to be cocaine by the State of Ohio's Bureau of Criminal Identification and Investigation Laboratory. The cocaine weighed .59 grams. On September 23, 2005, the charges of Trafficking in Drugs, Drug Abuse, and Permitting Drug Abuse were bound over to the Butler County Grand Jury. The charge of Disorderly Conduct is pending before the Hamilton Municipal Court. Italiano was released on bond on these charges on September 23, 2005.

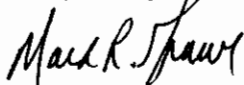
U.S. Probation Officer Recommendation: In view of the above, it is apparent that Italiano has violated the conditions of her supervised release. Thus, it is respectfully recommended that an Order to Appear and Show Cause be issued. It is also respectfully recommended that Italiano's Supervised Release time be tolled so that her pending state charges can be resolved.

The term of supervision should be

- ☒ Revoked.
☐ Extended for years, for a total term of years.
☐ Continued based upon the exception to revocation under 18 USC 3563(e) or 3583(d)
☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully Submitted By,



Mark R. Grawe
U.S. Probation Officer
Date: September 28, 2005

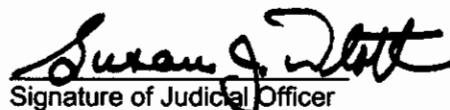
Approved By,



John C. Cole
Supervising U.S. Probation Officer
Date: September 28, 2005

THE COURT ORDERS:

- ☐ No Action
☐ The Court finds that there is probable cause to believe the defendant has violated the conditions of his/her probation/supervised release and orders the Issuance of a Warrant for his/her arrest.
☒ The Issuance of an Order to Appear and Show Cause and toll the Supervised Release time.
☐ The Court finds the defendant can benefit from continued substance abuse treatment and grants an exception to revocation. The supervision term of the defendant is continued under all original terms and conditions.
☐ Other



Signature of Judicial Officer

Oct 7, 2005
Date